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In re Application of	:	
RICHARD HOWARD GREEN (deceased)	:	DECISION ON
Application No.: 10/528,613	:	
PCT No.: PCT/EP03/10930	:	PETITION
Int. Filing Date: 25 September 2003	:	
Priority Date: 27 September 2002	:	UNDER 37 CFR 1.42
Attorney Docket no.: P33118US	:	
For: PYRIDINE DERIVATIVES AS CB2	:	
RECEPTOR MODULATORS	:	

This is a decision on a renewed submission under 37 CFR 1.42, filed in the United States Patent and Trademark Office (USPTO) on 28 February 2006 in response to a Notification of Missing Requirements. Petitioner requests a one month extension of time, which is granted.

BACKGROUND

On 12 March 2005, applicant filed a Transmittal Letter requesting entry into the national stage in the United States of America under 35 U.S.C. § 371. Filed with the Transmittal Letter was, *inter alia*, the requisite basic national fee.

In response to the Notification of Missing Requirements mailed on 28 October 2005, and to satisfy the requirement that an oath or declaration of the inventors be furnished, applicant filed a declaration that was signed by the co-inventors and by Jennifer Margaret Doughty, as executor on behalf of deceased co-inventor Richard Howard Green. The submission was treated as a request for status under 37 CFR 1.42.

On 23 December 2005, a decision dismissing the petition was mailed to applicant indicating that the declaration was unacceptable because it identified Jennifer Margaret Doughty, as executor or legal representative for deceased inventor Richard Howard Green but did not clearly state the country of citizenship, former residency and mailing address of both the deceased inventor and the legal representative, as required for compliance with 37 CFR 1.497.

On 28 February 2006, applicant submitted a renewed submission under 37 CFR 1.42 along with a newly executed declaration.

DISCUSSION

The declarations submitted on 28 February 2006 are acceptable because the declarations identify the joint inventors and Jennifer Margaret Doughty, as executor or legal representative for deceased inventor Richard Howard Green. Further, the declarations state the country of citizenship, former residency and mailing address for all joint inventors, the deceased inventor and the legal representative. The declaration is in compliance with 37 CFR 1.497(a) and (b). Accordingly, it is appropriate to accord the national stage application status under 37 CFR §1.42.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is GRANTED.

The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 28 February 2006.


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